



YORK COUNTY
PLANNING COMMISSION
MINUTES • JUNE 12, 2023



FINAL

Planning Commission

York County Government Center
6 South Congress Street
York, SC 29745

6:00 PM

Chair, District 1 Kate Kraxberger: Absent, District 2 Jamie Henrickson: Present, District 3 Aubrie Parham: Present, District 4 Antonio Mickel: Present, District 5 Mike Duralia: Present, District 6 Matthew Velkovich: Present, District 7 Thomas Bach: Present, At Large John Segura: Present, At Large Greg Simmons: Present, Planning Manager Diane Dil: Present, Planning & Development Director Jonathan Buono: Present, Zoning Associate Planner Marion Ray: Present, Zoning Administrator Rachel Grothe: Present, Deputy Assistant Attorney Laura Dover: Present, County Attorney Michael Kendree: Present, Principal Planner Richard Abboud: Present, Secretary Bonnie Marsiglia: Present.

Approval of the Agenda

Antonio Mickel called the meeting to order at 6:00 p.m.

Matt Velkovich motioned to approve the agenda. Jamie Henrickson seconded the motion that was approved by all.

Adoption of Minutes

1. Approval of May 8, 2023 Planning Commission Minutes

ACCEPTED [Unanimous]

MOVANT: Jamie Henrickson

SECOND: Thomas Bach

Public Hearing

1. Daniel J. Ballou has filed an Administrative Appeal to the Zoning Administrator's decision to classify the division of tax map number 581-00-00-067 as a major subdivision. The subject property is a 20 acre parcel located in the RMX-10 and LW-O zone districts. Council District – 2, Love. Case Number A23-02.

Open Public Hearing:

Antonio Mickel opened the Public Hearing.

Applicant: The applicant's legal counsel, Daniel Ballou, addressed the Commissioners. Mr. Ballou spoke in favor of an exempt subdivision referred to in the South Carolina Enabling Act. He said the ordinance did not address the Enabling Act Exempt Subdivisions and that the subdivision proposed was not a minor or major.

Respondent: Rachel Grothe, York County Zoning Administrator, addressed the Commissioners. Ms. Grothe stated she was following the York County Ordinances that are in place. The applicant can move forward, but would need Planning Commission approval through the preliminary plat process.

Rebuttal: In Mr. Ballou stated a minor subdivision is determined by the number of lots; an exempt subdivision is determined by the size of the lots.

Open to the Public in favor of upholding Administrative Decision:

Mark Sleeper spoke to the safety concerns for the existing and future residents should there be an evacuation due to the Nuclear Power plant. He wants to keep housing density low.

Mack Pope stated that he also had safety concerns, but is concerned about the access bridge's ability to handle the various types of vehicles new housing would bring.

Lewis Wilson wanted to remind the Commissioners about maintaining the quality of Lake Wylie.

Open to the Public in favor of overturning the Administrative Decision:

No one spoke.

Close Public Hearing: At 6:46 p.m. Matt Velkovich motioned to close the Public Hearing. Tom Bach seconded the motion that was unanimously passed.

Executive Session: Mike Duralia motioned to go into Executive Session. Tom Bach seconded the motion unanimously approved.

At 7:05 p.m. the Commissioners returned from Executive Session with no action taken.

Decision: Matt Velkovich motioned to uphold the staff decision, therefore, denying the appeal. Matt supported his motion stating the applicant still had a means to subdivide the property in a manner consistent with regulations. The State Statue empowers the County to create rules that provide for orderly means of development. Greg Simmons seconded the motion. Jamie Henrickson commented that the County has input on roads being altered. Mike Duralia commented that people need to work through their issues and come together in unity. The motion passed unanimously.

DENIED [Unanimous]

MOVANT: Matthew Velkovich

SECOND: Greg Simmons

AYES: Henrickson, Parham, Mickel, Duralia, Velkovich, Bach, Segura, Simmons

ABSENT: Kate Kraxberger

New Business

1. Subdivision: Southern Pine Lake Applicant: MJ Rooster Investments, LLC Tax Map Number: 477-00-00-009 Total Acreage: 73.7 acres Total Lots: 38 single-family lots Council District #2: Allison Love Zoning District: Rural Development I (RUD-I)

Marion Ray presented the Preliminary Plat request. Matt Velkovich motioned to approved the request. With a second by John Segura the request was unanimously approved.

APPROVED [Unanimous]

MOVANT: Matthew Velkovich

SECOND: John Segura

AYES: Henrickson, Parham, Mickel, Duralia, Velkovich, Bach, Segura,
Simmons

ABSENT: Kate Kraxberger

2. Rezoning 23-21; Chetan and Manisha Patel (Applicant/Owner); requesting to rezone two parcels for a total of 1.78 acres from NC to RC. The subject parcels are located at 4020 Black Highway, York. The properties are referenced as tax map numbers 156-00-00-012 and 156-00-00-041; Council District 3 - Adkins.

Dine Dil presented the request. No conditions are recommended by staff as part of this rezoning request. The applicant is encouraged to combine the parcels since the drain field is on the northern parcel. With a motion by Tom Bach and a second by Matt Velkovich, the motion passed unanimously.

APPROVED [Unanimous]

MOVANT: Thomas Bach

SECOND: Matthew Velkovich

AYES: Henrickson, Parham, Mickel, Duralia, Velkovich, Bach, Segura,
Simmons

ABSENT: Kate Kraxberger

3. Rezoning 23-24; Ashley and John Cooper (Applicant/Owner); requesting to rezone a one acre portion of a 5.121 acre parcel from AGC to RUD. The subject parcel is located at 2354 Boheler Road, Clover. The property is referenced as tax map number 259-00-00-043; Council District 3 - Adkins.

Diane Dil presented the request. This is only for one acre in a mostly AGC zoned area. Aubrie Parham spoke to the Commission regarding the extenuating circumstances the family

is having. Aubrie Parham motioned to approve the request with the condition. Matt Velkovich seconded the motion. The motion passed with a 7-1 vote.

APPROVED [7 to 1]

MOVANT: Aubrie Parham
SECOND: Matthew Velkovich
AYES: Henrickson, Parham, Duralia, Velkovich, Bach, Segura, Simmons
NAYS: Antonio Mickel
ABSENT: Kate Kraxberger

4. Rezoning 23-25; Warren Norman Company (Applicant) CV Hwy 21 LLC (Owner); requesting to rezone a 7.60 acre parcel from UD to GC. The subject parcel is located at 3151 Highway 21, Fort Mill. The property is referenced as tax map number 721-00-00-013; Council District 7 - Cloninger.

Diane Dil presented the request. Tom Bach spoke to egress concerns at Hwy 21 and Lakes Blvd. Matt Velkovich motioned to approve the request. John Segura seconded the motion that passed 7-1.

PASS [7 to 1]

MOVANT: Matthew Velkovich
SECOND: John Segura
AYES: Henrickson, Parham, Mickel, Duralia, Velkovich, Segura, Simmons
NAYS: Thomas Bach
ABSENT: Kate Kraxberger

Other Business

1. Rezoning Tracking Sheet

Executive Session

Matters for Consideration Following Executive Session

Adjournment

At 7:30 Matt Velkovich motioned to adjourn. With a second by Greg Simmons the Board voted to adjourn.